

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE PORK ANTITRUST
LITIGATION

Case No. 18-cv-01776 (JRT-HB)

This Document Relates To:
DPP and CIIP Actions

COMMONWEALTH OF
PUERTO RICO,

Case No. 19-cv-02723 (JRT-HB)

Plaintiff,

**STIPULATION FOR DISMISSAL OF
DEFENDANT HORMEL FOODS,
LLC WITHOUT PREJUDICE**

v.

AGRISTATS, ET AL.,

Defendants.

WINN-DIXIE STORES, INC., AND
BI-LO HOLDINGS, LLC,

Case No. 19-cv-01578 (JRT-HB)

Plaintiffs,

v.

AGRISTATS, ET AL.,

Defendants.

WHEREAS, Defendants Hormel Foods Corporation and Hormel Foods, LLC (collectively, the “Hormel Defendants”) and the Plaintiffs in the above-captioned actions have stipulated to dismissing the Plaintiffs’ claims against Hormel Foods, LLC without prejudice, provided that Hormel Foods, LLC makes satisfactory representations about its lack of direct involvement in hog and pork production;

WHEREAS, Hormel Foods, LLC represents that it is a wholly owned subsidiary of Hormel Foods Corporation, that holds the intellectual property of Hormel Foods Corporation, that it has no employees, has no hog-producing or pork-processing assets, and has no operations or records relevant to the above-captioned actions;

WHEREAS, the Hormel Defendants continue to deny all wrongdoing and do not admit liability for claims alleged in the above-captioned cases, and maintain all defenses to any future claims by Plaintiffs against Hormel Foods, LLC except as specifically enumerated below;

THEREFORE, the undersigned parties hereby stipulate and agree as follows:

1. The Direct Purchaser Plaintiffs' Third Amended Complaint [ECF No. 431] shall be dismissed as to Hormel Foods, LLC without prejudice;
2. The Commercial and Institutional Indirect Purchaser Plaintiffs' Third Amended Complaint [ECF No. 432] shall be dismissed as to Hormel Foods, LLC without prejudice;
3. The Commonwealth of Puerto Rico's Third Amended Complaint [ECF No. 103] shall be dismissed as to Hormel Foods, LLC without prejudice;
4. Winn-Dixie Stores, Inc.'s and Bi-Lo Holdings, LLC's Second Amended Complaint [ECF No. 94] shall be dismissed as to Hormel Foods, LLC without prejudice; and
5. All statutes of limitations applicable to any and all claims that the DPP and CIIPP plaintiff groups, the Commonwealth of Puerto Rico, Winn-Dixie Stores Inc., and/or Bi-Lo Holdings, LLC may have against Hormel Foods,

LLC shall be tolled from the entry of the dismissal without prejudice until such a time, if it were to occur, that the DPPs, CIIPPs, the Commonwealth of Puerto Rico, Winn-Dixie Stores, Inc., and/or Bi-Lo Holdings, LLC reinstate any such claims, but, in any event, no later than judgment is entered on the claims against Hormel Foods Corporation.

Dated: January 7, 2021

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